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TRANSMITTAL FORM (to be used for all correspondence after initial filing)		Application Number	10/800,162
		Filing Date	March 12, 2004
		First Named Inventor	Donald J. EATON
		Art Unit	3732
		Examiner Name	Not Yet Assigned
Total Number of Pages in This Submission	8	Attorney Docket Number	577242000100

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form + duplicate copy for fee processing - 2 pages <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request - 1 page <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Response to Missing Parts/Incomplete Application <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Copy of Notice to File Missing Parts, Part 2 - 2 pages Declaration for Utility Patent Application - 2 pages Fax cover sheet
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	MORRISON & FOERSTER LLP (Customer No. 25226) Lisa A. Amil - 48,199
Signature	
Date	October 1, 2004

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, facsimile no. (703) 746-4060, on the date shown below.	
Dated: October 1, 2004	Signature: (Patricia M. Ellison)



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FEE TRANSMITTAL for FY 2004		Complete if Known																																																																																																																																																																																	
Effective 10/01/2003, Patent fees are subject to annual revision.		Application Number	10/800,162																																																																																																																																																																																
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<input type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None <input checked="" type="checkbox"/> Deposit Account: Deposit Account Number: 03-1952 Deposit Account Name: Morrison & Foerster LLP The Director is authorized to: (check all that apply) <input checked="" type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments <input checked="" type="checkbox"/> Charge any additional fee(s) or any underpayment of fee(s) <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.		Attorney Docket No.	577242000100																																																																																																																																																																																
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For Reissues, 50% above</td> <td></td> </tr> <tr> <td colspan="2">SUBMITTED BY</td> <td colspan="2">(Complete if applicable)</td> </tr> <tr> <td>Name (Print/Type)</td> <td>Lisa A. Amii</td> <td>Registration No. (Attorney/Agent)</td> <td>48,199</td> </tr> <tr> <td>Signature</td> <td></td> <td>Telephone</td> <td>(650) 813-5674</td> </tr> <tr> <td colspan="2"></td> <td>Date</td> <td>October 1, 2004</td> </tr> </tbody> </table>		Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid	1051 130	2051 65	Surcharge - late filing fee or oath	65.00	1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet		1053 130	2053 130	Non-English specification		1812 2,520	2812 2,520	For filing a request for ex parte reexamination		1804 920*	2804 920*	Requesting publication of SIR prior to Examiner action		1805 1,840*	2805 1,840*	Requesting publication of SIR after Examiner action		1251 110	2251 55	Extension for reply within first month		1252 430	2252 215	Extension for reply within second month	215.00	1253 980	2253 490	Extension for reply within third month		1254 1,530	2254 785	Extension for reply within fourth month		1255 2,080	2255 1,040	Extension for reply within fifth month		1401 330	2401 165	Notice of Appeal		1402 330	2402 165	Filing a brief in support of an appeal		1403 290	2403 145	Request for oral hearing		1451 1,510	2451 1,510	Petition to institute a public use proceeding		1452 110	2452 55	Petition to revive - unavoidable		1453 1,370	2453 685	Petition to revive - unintentional		1501 1,370	2501 685	Utility issue fee (or reissue)		1802 490	2502 245	Design issue fee		1503 660	2503 330	Plant issue fee		1480 130	2480 130	Petitions to the Commissioner		1807 50	2807 50	Processing fee under 37 CFR 1.17(d)		1806 180	2806 180	Submission of Information Disclosure Stmt		8021 40	28021 40	Recording each patent assignment per property (times number of properties)		1809 790	2809 395	Filing a submission after final rejection (37 CFR 1.129(a))		1810 790	2810 395	For each additional invention to be examined (37 CFR 1.129(b))		1801 780	2801 395	Request for Continued Examination (RCE)		1802 900	2802 900	Request for expedited examination of a design application		Other fee (specify)				*Reduced by Basic Filing Fee Paid				SUBTOTAL (2) (\$)			0.00	**or number previously paid, if greater. 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**MORRISON & FOERSTER LLP**

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To:

NAME:	FACSIMILE:	TELEPHONE:
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FROM: Lisa A. Amii**DATE:** October 1, 2004

Number of pages with cover page:	9
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Preparer of this slip has confirmed that facsimile number given is correct: 7230/PME2**CAUTION - CONFIDENTIAL**

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Comments:**Official Filing**

Re: U.S. Patent Application No. 10/800,162

Examiner: Not Yet Assigned

Art Unit: 3732

Title: SINUS DELIVERY OF SUSTAINED RELEASE THERAPEUTICS

Filing Date: March 12, 2004

Inventors: Donald J. EATON et al.

Attorney Docket No. 577242000100

Papers enclosed herewith:

1. Transmittal - 1 page
2. Fee Transmittal + duplicate copy for fee processing - 2 pages
3. Copy of Notice to File Missing Parts, Part 2 - 2 pages
4. Declaration for Utility Patent Application - 2 pages
5. Two month Petition for Extension of Time - 1 page

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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/800,162	03/12/2004	Donald Eaton	241002000100

25226
MORRISON & FOERSTER LLP
755 PAGE MILL RD
PALO ALTO, CA 94304-1018

CONFIRMATION NO. 9079

FORMALITIES LETTER

OC000000012828009

Date Mailed: 06/01/2004



NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

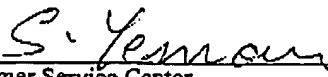
SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$65 for a Small Entity

- \$65 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
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Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*


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